

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Edward GavinCase No. 25-40648-EDK

Chapter 13

MOTION OF CHAPTER 13 TRUSTEE TO DISMISS CASE

Now comes David A. Mawhinney, Chapter 13 Trustee and moves for an order dismissing the above captioned case. In support of this Motion the Trustee states as follows:

- () 1. The Trustee requests an expedited hearing on this Motion pursuant to MLBR 9013-1(g) on the grounds that the debtor has failed to produce evidence of insurance on property of the estate, and further requests that a hearing be scheduled on _____.
- () 2. Pursuant to Bankruptcy Code §1326(a)(1), the Debtor is to commence plan payments no later than 30 days after the filing of the petition. Debtor has failed to make the first plan payment by that date, and has not commenced making plan payments to the Trustee as of, and including today. The Debtor is in arrears in the sum of \$_____.
- ✓ () 3. Debtor has failed to provide the following documents:
- | | |
|---|-------------------------|
| () Insurance Binder | () Evidence of Income |
| () Evidence of Real Property Value | () Federal Tax Returns |
| () Recorded Homestead Declaration | |
| () Business Documents as Required by MILBR 13-2(a) 7 a-e | |
- ✓ () Failed to appear at 341 Meeting
- () 4. Notice is given that any responses or objections to this motion are to be filed within twenty-one (21) days of the date hereof. If no timely response or objection is filed, the Court may act on this motion without further notice as provided by 11 U.S.C. §102(1)(B).

WHEREFORE, the Trustee requests that this Court enter an order dismissing this case.

Respectfully submitted,

Date July 25, 2025

David A. Mawhinney
David A. Mawhinney, BBO # 681737

Standing Chapter 13 Trustee

PO Box 964

Worcester, MA 01613

508-791-3300

Certificate of Service

I, David A. Mawhinney, certify that I have served a copy of the foregoing motion, via electronic filing and/or first class mail postage/pre-paid to:

Debtor Edward Gavin

, and Debtor's Counsel

Troy MorrisonDate July 25, 2025

David A. Mawhinney
David A. Mawhinney, Standing Chapter 13 Trustee

8/19/2025 GRANTED. NO OBJECTIONS HAVE BEEN FILED. THIS CASE IS HEREBY DISMISSED.